

REMARKS

Reconsideration and allowance of this application, as amended, is respectfully requested.

This Amendment is in response to the Office Action dated April 29, 2004.

Reconsideration and removal of the obviousness type double patenting rejection of claims 6, 11 and 12 over claims 1 and 2 of parent U.S. Patent 6,636,437 is respectfully requested. Although Applicants respectfully submit that claims 6, 11 and 12 of the present application define a separate patentable invention from the claims 1 and 2 of the parent U.S. Patent 6,636,437, in order to expedite the allowance of the present application, Applicants are filing herewith a Terminal Disclaimer concerning the parent patent 6,636,437. Accordingly, entry of this Terminal Disclaimer, and allowance of claims 6, 11 and 12 over the obviousness typed double patenting rejection is respectfully requested.

Also by the present Amendment, new claims 13 and 14 are added to the application. Like claims 6, 11 and 12, independent claim 13 and its dependent claim 14 pertains to a nonvolatile semiconductor memory device that stores data of 2 bits in one memory cell by setting a threshold voltage of the memory cell to any of four threshold voltages. Also like claims 6, 11 and 12, new independent claim 13 and its dependent claim 14 define the specific setting of the four threshold voltages in a specified manner. Regarding this, although the terminology of new independent claim 13 and its dependent claim 14 is somewhat different than the terminology in claims 6, 11 and 12, new independent claim 13 and its dependent claim 14 define specific features concerning the setting of the threshold voltages, as well as the

structure of the memory cells, which are more specific than features defined in claims 6, 11 and 12. Regarding this, it is noted that the features of claims 13 and 14 are illustrated, for example, in Figs. 1 and 2 of the application (noting that reference to these figures is solely for purposes of example). As such, the four threshold voltages defined in claim 13 can be read on the threshold voltages shown in Figs. 1E and 2E (noting that references to 1 and 2 is solely for purposes of example, and not intended to limit the invention only to the specific details of these figures). As such, it is respectfully submitted that new claims 13 and 14 clearly define over the cited prior art of this application, and, accordingly, entry of these new claims, and allowance thereof, it respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus,

Application No.: 10/644,747
Art Unit: 2818

Docket No.: 520.39222CV2
Page 8

LLP Deposit Account No. 01-2135 (Docket No. 520.39222CV2), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By



Gregory E. Montone
Reg. No. 28,141

GEM/dlt

1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209
Telephone: (703) 312-6600
Facsimile: (703) 312-6666